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Attorneys for Defendant STERICYCLE ENVIRONMENTAL
SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREENCYCLE PAINT, INC., a California
corporation,

Plaintiff,

v.

PAINTCARE, INC., a Delaware corporation,
CLEAN HARBORS ENVIRONMENTAL
SERVICES, INC., a Massachusetts corporation,
STERICYCLE ENVIRONMENTAL
SOLUTIONS, INC., a Delaware corporation,
and DOES 1-10,

Defendants.

No. 3:15-cv-04059-MEJ

**DECLARATION OF CORY D.
SINCLAIR**

I, Cory D. Sinclair, declare under penalty of perjury under the laws of the United States as follows:

1. I am an attorney-at-law and a shareholder in the law firm of Parsons Behle & Latimer in Salt Lake City, Utah. I am counsel of record herein for Stericycle Environmental Solutions, Inc. ("Stericycle"). I have firsthand knowledge of the facts set forth here in this Declaration and, if called to do so, could testify competently to them.

1 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
2 deposition of Lisa Cherri Taylor, dated March 15, 2018.

3 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
4 deposition of Glen Arnold Dillman, dated April 5, 2018.

5 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the
6 deposition of Marc Winkler, dated March 20, 2018.

7 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the 2015
8 Annual PaintCare Report, produced in this case by Plaintiff GreenCycle, Inc. ("GreenCycle") with
9 bates number GCP0013820.

10 6. Attached hereto as Exhibit 5 is a true and correct copy of the California Architectural
11 Paint Recovery Waste Paint Transportation and Processing Agreement, produced by Stericycle
12 with bates number SRCLG00003462.

13 7. Attached hereto as Exhibit 6 is the Amended California Architectural Paint
14 Recovery Waste Paint Transportation and Processing Agreement, produced by Stericycle with
15 bates number SRCLG00000682.

16 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the corporate
17 deposition of Visions Recycling, Inc., dated March 6, 2018.

18 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the
19 deposition of Alan Beilke, Volume II, dated February 1, 2018.

20 10. Attached hereto as Exhibit 9 is a true and correct copy of an email sent by Alan
21 Beilke to Glen Dillman, dated March 18, 2013, produced by Stericycle with bates number
22 SRCLG00000109.

23 11. Attached hereto as Exhibit 10 is a true and correct copy of a Vendor Audit Request
24 Form, dated April 1, 2013, produced by Stericycle with bates number SRCLG00001954.

25 12. Attached hereto as Exhibit 11 is a true and correct copy of an email chain regarding
26 Stericycle's denial of GreenCycle's audit request, with the last email dated April 26, 2013,
27 produced by Stericycle with bates number SRCLG00000106.
28

1 13. Attached hereto as Exhibit 12 is a true and correct copy of an email from Marjaneh
2 Zarrehparvar to Glen Dillman and Cherri Taylor, dated June 24, 2013, produced by Stericycle with
3 bates number SRCLG00000563.

4 14. Attached hereto as Exhibit 13 is a true and correct copy of the Vendor Checklist and
5 Approval Form, dated January 23, 2014, produced by Stericycle with bates number
6 SRCLG0000145.

7 15. Attached hereto as Exhibit 14 is a true and correct copy of an email from Glen
8 Dillman to Jennifer Hoisington and Andy Maloy dated February 6, 2014, produced by Stericycle
9 with bates number SRCLG00001988.

10 16. Attached hereto as Exhibit 15 is a true and correct copy of an email from Greg Harris
11 to Glen Dillman and Leslie Fischer, dated February 7, 2014, produced by Stericycle with bates
12 number SRCLG00001993.

13 17. Attached hereto as Exhibit 16 is a true and correct copy of an email chain to and
14 from Leslie Fischer and Alan Beilke, with the most recent email dated February 20, 2014, produced
15 by Stericycle with bates number SRCLG00001999.

16 18. Attached hereto as Exhibit 17 is a true and correct copy of an email from Leslie
17 Fischer to various Stericycle personnel, dated February 19, 2014, produced by Stericycle with bates
18 number SRCLG00002009.

19 19. Attached hereto as Exhibit 18 is a true and correct copy of an email from Leslie
20 Fischer to Alan Beilke, dated February 20, 2014 produced by Stericycle with bates number
21 SRCLG00002014.

22 20. Attached hereto as Exhibit 19 is a true and correct copy of an email from Alan Beilke
23 to Leslie Fischer, dated March 6, 2014, produced by Stericycle with bates number
24 SRCLG00002025.

25 21. Attached hereto as Exhibit 20 is a true and correct copy of an email from Leslie
26 Fischer to Alan Beilke, dated March 26, 2014, produced by Stericycle with bates number
27 SRCLG00002063.

28

1 22. Attached hereto as Exhibit 21 is a true and correct copy of an email from Leslie
2 Fischer to Alan Beilke, dated April 11, 2014, produced by Stericycle with bates number
3 SRCLG00002108.

4 23. Attached hereto as Exhibit 22 is a true and correct copy of an email from Alan Beilke
5 to Leslie Fischer, dated April 14, 2014, produced by Stericycle with bates number
6 SRCLG00002122.

7 24. Attached hereto as Exhibit 23 is a true and correct copy of an email from Leslie
8 Fischer to Alan Beilke, dated April 25, 2014, produced by Stericycle with bates number
9 SRCLG00003045.

10 25. Attached hereto as Exhibit 24 is a true and correct copy of an email from Cherri
11 Taylor to various personnel at PaintCare, dated May 3, 2014, produced by Stericycle with bates
12 number SRCLG00003967.

13 26. Attached hereto as Exhibit 25 is a true and correct copy of an email from Marjaneh
14 Zarrehparvar to Leslie Fischer, dated June 3, 2014, produced by Stericycle with bates number
15 SRCLG00000727.

16 27. Attached hereto as Exhibit 26 is a true and correct copy of an email from Caitlin
17 Sanders to Peter Nuti and Loma Thomson, dated February 12, 2015, produced by Stericycle with
18 bates number SRCLG00003267.

19 28. Attached hereto as Exhibit 27 is a true and correct copy of an email from Leslie
20 Fischer to Cherri Taylor, dated November 3, 2014, produced by Stericycle with bates number
21 SRCLG00002584.

22 29. Attached hereto as Exhibit 28 is a true and correct copy of excerpts from the
23 deposition of Marjaneh Zarrehparvar, dated March 27, 2018.

24 30. Attached hereto as Exhibit 29 is a true and correct copy of an email from Alan Beilke
25 to Cherri Taylor, dated December 22, 2014, produced by GreenCycle with bates number
26 GCP0008250.

27 31. Attached hereto as Exhibit 30 is a true and correct copy of excerpts from the
28 deposition of Alan Beilke, Volume I, dated January 31, 2018.

EXHIBIT LIST

- 1
- 2 Exhibit 1 Excerpts from the deposition of Lisa Cherri Taylor dated March 15, 2018
- 3 Exhibit 2 Excerpts from the deposition of Glen Arnold Dillman dated April 5, 2018
- 4 Exhibit 3 Excerpts from the deposition of Marc Winkler dated March 20, 2018
- 5 Exhibit 4 Excerpts from the 2015 Annual PaintCare Report (Bates no. GCP0013820)
- 6 Exhibit 5 California Architectural Paint Recovery Waste Paint Transportation and
- 7 Processing Agreement (Bates no. SRCLG00003462)
- 8 Exhibit 6 Amended California Architectural Paint Recovery Waste Paint Transportation
- 9 and Processing Agreement (Bates no. SRCLG00000682)
- 10 Exhibit 7 Excerpts from the corporate deposition of Visions Recycling, Inc. dated March
- 11 6, 2018
- 12 Exhibit 8 Excerpts from the deposition of Alan Beilke, Volume II, dated February 1,
- 13 2018
- 14 Exhibit 9 Email from Alan Beilke to Glen Dillman dated March 18, 2013 (Bates no.
- 15 SRCLG00000109)
- 16 Exhibit 10 Vendor Audit Request Form dated April 1, 2013 (Bates no. SRCLG00001954)
- 17 Exhibit 11 Email chain regarding Stericycle's denial of GreenCycle's audit request (Bates
- 18 no. SRCLG00000106)
- 19 Exhibit 12 Email from Marjaneh Zarrehparvar to Glen Dillman and Cherri Taylor dated
- 20 June 24, 2013 (Bates no. SRCLG00000563)
- 21 Exhibit 13 Vendor Checklist and Approval Form, dated January 23, 2014 (Bates no.
- 22 SRCLG0000145)
- 23 Exhibit 14 Email from Glen Dillman to Jennifer Hoisington and Andy Maloy dated
- 24 February 6, 2014 (Bates no. SRCLG00001988)
- 25 Exhibit 15 Email from Greg Harris to Glen Dillman and Leslie Fischer dated February 7,
- 26 2014 (Bates no. SRCLG00001993)
- 27 Exhibit 16 Email chain to/from Leslie Fischer and Alan Beilke (Bates no.
- 28 SRCLG00001999)

EXHIBIT LIST, CONT'D.

- 1
- 2 Exhibit 17 Email from Leslie Fischer dated February 19, 2014 (Bates no.
- 3 SRCLG00002009
- 4 Exhibit 18 Email from Leslie Fischer to Alan Beilke dated February 20, 2014 (Bates no.
- 5 SRCLG00002014
- 6 Exhibit 19 Email from Alan Beilke to Leslie Fischer dated March 6, 2014 (Bates no.
- 7 SRCLG00002025)
- 8 Exhibit 20 Email from Leslie Fischer to Alan Beilke dated March 26, 2014 (Bates no.
- 9 SRCLG00002063
- 10 Exhibit 21 Email from Leslie Fischer to Alan Beilke dated April 11, 2014 (Bates no.
- 11 SRCLG00002108
- 12 Exhibit 22 Email from Alan Beilke to Leslie Fischer dated April 14, 2014 (Bates no.
- 13 SRCLG00002122)
- 14 Exhibit 23 Email from Leslie Fischer to Alan Beilke dated April 25, 2014 (Bates no.
- 15 SRCLG00003045)
- 16 Exhibit 24 Email from Cherri Taylor dated May 3, 2014 (Bates no. SRCLG00003967)
- 17 Exhibit 25 Email from Marjaneh Zarrehparvar to Leslie Fischer dated June 3, 2014 (Bates
- 18 no. SRCLG00000727)
- 19 Exhibit 26 Email from Caitlin Sanders to Peter Nuti and Loma Thomson dated February
- 20 12, 2015 (Bates no. SRCLG00003267)
- 21 Exhibit 27 Email from Leslie Fischer to Cherri Taylor dated November 3, 2014 (Bates no.
- 22 SRCLG00002584)
- 23 Exhibit 28 Excerpts from deposition of Marjaneh Zarrehparvar dated March 27, 2018
- 24 Exhibit 29 Email from Alan Beilke to Cherri Taylor dated December 22, 2014 (Bates no.
- 25 GCP0008250)
- 26 Exhibit 30 Excerpts from deposition of Alan Beilke, Volume I dated January 31, 2018
- 27 Exhibit 31 Email from Caitlin Sanders to Cherri Taylor dated January 30, 2015 (Bates no.
- 28 SRCLG00000125)

EXHIBIT LIST, CONT'D.

- Exhibit 32 Email from Leslie Fischer to Terri Ryan dated July 31, 2015 (Bates no. SRCLG00002252)
- Exhibit 33 Excerpts from deposition of Fred Gabriel dated March 29, 2018
- Exhibit 34 Excerpts from deposition of Curt William Lock dated March 22, 2018
- Exhibit 35 Excerpts from deposition of Michael Platt dated March 30, 2018
- Exhibit 36 Excerpts from deposition of Julie Knox dated April 3, 2018
- Exhibit 37 Expert report of Julie Knox dated March 5, 2018
- Exhibit 38 Expert report of Dr. David L. Sunding dated March 5, 2018

CERTIFICATE OF FILING SERVICE

I HEREBY CERTIFY that on this 10th day of May 2018, a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system, which will send notification to the following counsel of record:

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/s/ Cory D. Sinclair